IN THE HIGH COURT OR UTTARAKHAND
AT NAINITAL

Writ Petition No. 952 (S/S) of 2007

Smt. Kiran Jamloki W/o Parasar Jamloki
Assistant Teacher Government Girls Junior High School Falai,
Block- August Muni
District- Rudraprayag ------ Petitioner

Versus

1. State of Uttarakhand through Secretary Education, Government of Uttarakhand, Dehradun
2. Director of School Education Uttarakhand, Dehradun
3. District Education Officer, Rudraprayag District Rudraprayag

------- Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri S.K. Posti, learned counsel for the petitioner and Sri Paresh Tripathi, learned brief Holder for State of Uttarakhand for the respondents.

By means of this writ petition, the petitioner has challenged the transfer order dated 06.06.2007 passed by respondent no. 3, District Education Officer, Rudraprayag transferring the petitioner from Junior High School, Falai to Junior High School, Pata on the ground of inconsistent subject.

The petitioner has challenged the impugned order on the ground that the husband of the petitioner, who is working as Principal in Government Inter College, Chandrapuri, Block August Muni, District Rudraprayag, met with an accident and suffered from severe Spine injury and after medical treatment, Chief Medical Officer, Rudraprayag certified 75% disability to the husband of the petitioner.

Learned counsel for the petitioner has further submitted that due to the accident, the husband of the petitioner has become fully dependent on the petitioner, even for daily routine work.

Learned counsel for the petitioner has further submitted that considering the health of the husband of the petitioner, raising all her grievances, she has made a representation on 10.06.2007 to the District Education Officer, Rurdraprayag and the District Education Officer, Rudraprayag, in this connection vide letter dated 22.06.2007 written to Director of School Education, Uttarakhand, has recommended the petitioner to remain in the present institution, but in spite of the recommendation of the District Education Officer, respondent no . 2, Director of School Education, Uttarakhand is not taking any action.

In the circumstances, I deem it fit and proper to direct the respondent no. 2 Director of School Education, Uttarakhand to take decision on the letter of District Education Officer, Rudraprayag in connection to the representation of the petitioner within a period of two weeks from the date of production of a certified copy of this order before him. Petitioner is also directed to submit a certified copy of this order before respondent no. 2 within 10 days from today.

Till decision is taken by the Director of School Education, Uttarakhand on the representation of the petitioner or till 25th August, 2007, whichever is earlier, the order of transfer shall be kept in abeyance in case the petitioner has not already been relieved from the present place of posting.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

25.07.2007
VKS